

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 602, As Amended

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO IMMUNITY FROM LIABILITY; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-342, IDAHO CODE, TO PROVIDE FOR IMMUNITIES FOR VOLUNTEER MEMBERS OF SEARCH AND RESCUE OPERATIONS UNDER CERTAIN CIRCUMSTANCES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 3, Title 5, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 5-342, Idaho Code, and to read as follows:

5-342. IMMUNITY FOR SEARCH AND RESCUE OPERATIONS. No person serving as a volunteer member of a search and rescue operation constituted pursuant to section 31-2229, Idaho Code, may have their actions or omissions occurring during the search and rescue operation found to be the proximate cause of injuries to a person subject of a search or rescue, unless the volunteer's actions or omissions are not done in good faith or are grossly negligent. This limitation of liability applies notwithstanding the fact that an organization may recover costs incurred incident to the search and rescue operation or rendering of emergency care.